



JOY MINING MACHINERY
A Joy Global Inc. Company

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December 22, 2003

Approval and Certification Center
Mine Safety and Health Administration
Box 251 Industrial Park Road
Triadelphia, WV 26059

To those concerned,

I am writing this letter on behalf of Joy Mining Machinery to address the recent notice that was published in the Federal Register on December 1, 2003 concerning MSHA's review of the Equivalency of Standards against current MSHA Product Approval Requirements. Comments by interested parties were requested and since Joy is the world's largest producer of underground mining machinery, we have a great interest in this area of discussion.

Joy has been actively involved in designing, manufacturing and commissioning underground mining equipment throughout the world. We have machinery operating in 18 different countries of which require some different form of approvals or certifications for the equipment. The expertise, time and costs associated with meeting these various requirements are very significant. For this reason any possible method of integrating standards or regulations would interest us. We feel this is an important part of the future of Joy Mining Machinery, as a single design would be acceptable to multiple countries and appreciate your request to comment on the possibility of accepting IEC standards for flameproof and intrinsic safe components.

Joy is in agreement with others throughout the mining industry that certain international and harmonized standards possess the same level of safety as the current MSHA regulations. Joy has in the past assisted MSHA in testing various components to different standards/criteria that resulted in equivalent outcomes. Therefore, we request MSHA consider that the IEC standards for Electrical Apparatus for Explosive Gas Atmospheres, Part 0, General Requirements (IEC 60079- 0); Part 1, Construction and Verification Test of Flameproof enclosures of Electrical Apparatus (IEC 60079-1); and Part 11, Intrinsic Safety (IEC 60079-11) be deemed equivalent without any modification, addition or deviation to the current MSHA Product Approval Requirements found in 30CFR Part 18.

We also urge MSHA to consider the other standards in the IEC60079 series that address other concepts of certification. These would include the Electrical Apparatus for Explosive Gas Atmospheres- Part 7: Increased Safety "e" and the Electrical Apparatus for Explosive Gas Atmospheres- Part 18: Encapsulation "m" concepts. Joy currently possesses certificates of products evaluated against these concepts; namely our various solenoid designs which cannot be certified under the Part 1 Flameproof concept.

Joy requests MSHA to pursue working toward harmonizing with the world in regard to globalized standards. Specifically, we would ask MSHA to consider the international agreement between countries relative to the IEC standards, known as the IECEx scheme. Although the United States is a participating country in this scheme for above ground applications, we request MSHA to consider joining with other countries to permit this method of global certification for components located in underground hazardous areas. We see this as the future of being able to sell our products in a global marketplace.

Thank you for your time and consideration of our opinion on this notice of intent to review IEC standards.

Best Regards,

Mr. David Thomas
Certification Engineer
Joy Mining Machinery